



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ADDRESS ALL CORRESPONDENCE TO:
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ALHAMBRA, CALIFORNIA 91802-1460

September 11, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

54 September 18, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**RESOLUTION OF SUMMARY VACATION
FOR ABANDONMENT OF AN OFFER TO DEDICATE ROAD EASEMENT AND
VACATION OF A SLOPE EASEMENT ON PRIMROSE LANE
SOUTH OF LENNY STREET (CONDITIONAL)
IN THE UNINCORPORATED COMMUNITY OF BOUQUET CANYON
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action will allow the County of Los Angeles to abandon an offer of dedication for road easement and vacate a slope easement on Primrose Lane south of Lenny Street in the unincorporated community of Bouquet Canyon, that are no longer needed for public use. The vacation has been requested by the underlying property owners to enhance the properties and allow for improvements.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the offer of dedication for road easement and the easement for slope purposes on Primrose Lane south of Lenny Street in the unincorporated community of Bouquet Canyon have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation and that they may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.
3. Find that the offer of dedication for road easement and the easement for slope purposes on Primrose Lane south of Lenny Street in the unincorporated community of Bouquet Canyon are

excess and not required for street or highway purposes and that they may, therefore, be vacated pursuant to Section 8334(a) of the California Streets and Highways Code.

4. Find that the offer of dedication for road easement on Primrose Lane south of Lenny Street in the unincorporated community of Bouquet Canyon is not useful as nonmotorized transportation facility as required by Section 892 of the California Streets and Highways Code.

5. Terminate the offer of dedication of road easement on Primrose Lane south of Lenny Street in the unincorporated community of Bouquet Canyon and abandon the County of Los Angeles' right to accept and open the street pursuant to Section 66477.2(c) of the California Government Code.

6. Adopt the Resolution of Summary Vacation.

7. Upon approval, authorize the Director of Public Works to record the certified original resolution with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to abandon the offer of dedication for road easement and vacate the easement for slope purposes on Primrose Lane south of Lenny Street (Easements) in the unincorporated community of Bouquet Canyon, since they no longer serve the purpose for which they were dedicated and are not required for public use.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easements will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The applicant has paid a \$1,500 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area of the easement for slope purposes to be vacated contains approximately 27,041 square feet, and the area of the offer of dedication for road easement to be abandoned contains approximately 23,847 square feet. Both are shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The California Streets and Highways Code Section 8333(a) provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

The California Streets and Highways Code Section 8334(a) provides that the legislative body of a local agency may summarily vacate any excess right of way of a street or highway not required for street or highway purposes.

The offer of dedication for road easement is not useful as a nonmotorized transportation facility as defined in Section 887 of the California Streets and Highways Code.

Government Code Section 66477.2(c) provides "Offers of dedication which are covered by subdivision (a) may be terminated and abandoned in the same manner as prescribed for the summary vacation of streets by Part 3 (commencing with Section 8300) of Division 9 of the Streets and Highways Code."

The County's interest in the Easements was acquired by Document No. 88-1101585, recorded on July 13, 1988, as an easement for slope purposes, and by Document No. 88-1101584, recorded on July 13, 1988, as an offer to dedicate an easement for public road and highway purposes, both of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

The offer to dedicate an easement for public road and highway purposes was never accepted by the County, no improvements were ever made to the right of way by the County, and this area has never been used for County highway purposes.

Wayne Avrashow, on behalf of Dr. Martin Krell and Charlene Krell and Jong Kim, the underlying property owners, requested the vacation to remove the restriction of the Easements and allow for improvements. The vacation provides for a dedication of a slope easement along Lenny Street.

The proposed vacation is conditioned upon the underlying property owners of Lenny Street, Dr. Martin Krell and Charlene Krell, dedicating an easement for slope purposes, as shown on the map that is attached to the enclosed Resolution to Vacate. This condition must be met to the satisfaction of Public Works within one year of the date this Resolution is adopted by your Board or the vacation of the Easements will terminate and become null and void. Public Works will record the enclosed resolution upon satisfaction of the condition.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easements. Your action will result in the properties being unencumbered by the Easements and available to the property owners for use without restriction of the Easements.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that this class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the elimination of the Easements.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
FOR ABANDONMENT OF AN OFFER TO DEDICATE ROAD EASEMENT AND
VACATION OF A SLOPE EASEMENT ON PRIMROSE LANE
SOUTH OF LENNY STREET (CONDITIONAL)**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the recipient of an offer of dedication for public road and highway purposes and the holder of an easement for slope purposes (hereinafter referred to as the Easements) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easements, on Primrose Lane south of Lenny Street, are located in the unincorporated community of Bouquet Canyon in the County of Los Angeles, State of California.
2. The Easements have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
3. The Easements have been determined to be excess and not required for public road and highway purposes.
4. The Easements are not useful as nonmotorized transportation facilities as defined in Section 887 of the California Streets and Highways Code.
5. The Easements are hereby abandoned and vacated pursuant to Section 66477.2(c) of the California Government Code and pursuant to Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, commencing with Section 8330.
6. The proposed vacation is conditioned upon the underlying property owners, Dr. Martin and Charlene Krell, dedicating an easement for slope purposes. This condition must be met to Public Works' satisfaction within one year of the date this Resolution is adopted by the Board of Supervisors or the vacation of the Easements will terminate and become null and void.
7. Upon the satisfaction of the condition specified in paragraph 6, above, the Director of Public Works, or her designee, is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easements will be terminated, and the County's right to accept said offer of dedication will be abandoned.
8. From and after the date this resolution is recorded, the Easements will no longer constitute street, highway, or public service easements.

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The foregoing resolution was on the 18th day of September, 2012, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.



APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By [Signature]
Deputy

By [Signature]
Deputy

NS:mr

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EXHIBIT A

Project name: **PRIMROSE LANE (FUTURE STREET)
SOUTH OF LENNY STREET 1-1VAC**
Includes: PARCEL NO. 1-1ABN
A.I.N. 2813-008-039 & 040
T.G. 4461-H1
I.M. 279-137
R.D. 553
S.D. 5
M1188103

LEGAL DESCRIPTION

PARCEL NO. 1-1VAC (Vacation of slope easement):

That portion of PARCEL 2 as shown and designated in EASEMENT deed to the County of Los Angeles, recorded on July 13, 1988, as Document No. 88-1101585, of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, lying southerly of the following described boundary:

Beginning at the easterly terminus of that certain line having a length of 470.00 feet in the southerly boundary of said PARCEL 2; thence easterly along the easterly prolongation of said certain line to the easterly sideline of PRIMROSE LANE (PVT. ST.), 58 feet wide, as shown on said deed; thence southerly along said easterly sideline to a line parallel with and 72 feet southerly, measured at right angles, from the centerline of LENNY STREET (PVT. ST.), 64 feet wide, as shown on said deed; thence easterly along said parallel line to the westerly prolongation of a line parallel with and 40 feet southerly, measured at right angles, from that certain course having a bearing and distance of North 72°40'44" West 30.00 feet in the southerly sideline of said LENNY STREET (PVT. ST.); thence along last said last-mentioned parallel line South 72°40'44" East 200 feet.

Containing: 27,041± square feet.

PARCEL NO. 1-1ABN (Abandonment of offer to dedicate for public road and highway purposes):

That portion of PARCEL 1 as shown and designated in OFFER TO DEDICATE to the County of Los Angeles, recorded on July 13, 1988, as Document No. 88-1101584, of

EXHIBIT A

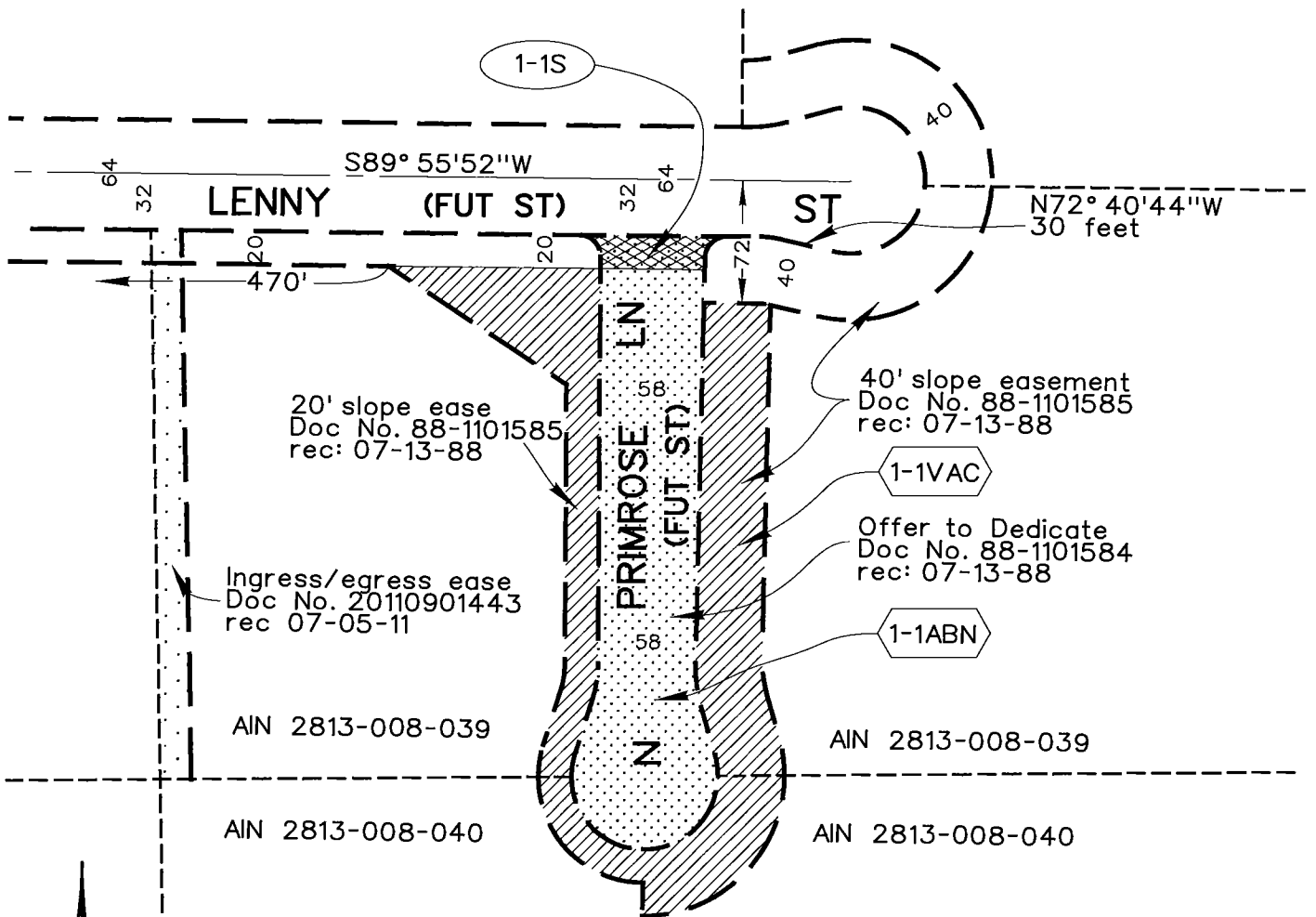
PRIMROSE LANE (FUTURE STREET) SOUTH OF LENNY STREET 1-1VAC

above-mentioned Official Records, lying southerly of a line parallel with and 32 feet southerly, measured at right angles, from the above-mentioned centerline of LENNY STREET (PVT. ST.).

Containing: 23,847± square feet.

Total area of Parcels Nos. 1-1VAC and 1-1ABN: 1.17± acres

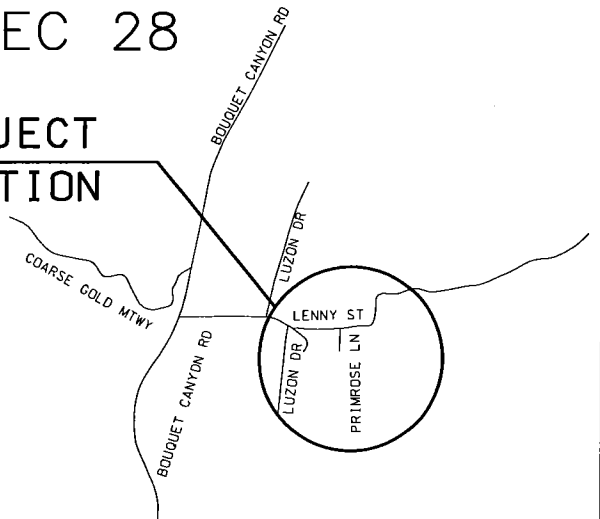




POR SW 1/4 SEC 28
T.5N., R15W

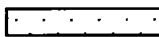



SUBJECT
LOCATION

EXHIBIT B



ALL IN THE UNINCORPORATED
TERRITORY OF THE COUNTY
OF LOS ANGELES

LEGEND

-  Ingress/egress easement per
Doc. No. 20110901443, rec 7-5-11
-  Parcel No. 1-1VAC
Slope easement to be vacated
Total Area: 27,041± s.f.
-  Parcel No. 1-1ABN
Future street to be abandoned
Total Area: 23,847± s.f.
-  Parcel No. 1-1S
Slope easement to be dedicated
Total Area: 1,338± s.f.

REVISION

1.

PREPARED BY N. SALAZAR

DEPARTMENT OF PUBLIC WORKS

SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

| SD. | RD. | A.I.N. | T.G. |
|-------|----------|--------------------|---------|
| 5 | 553 | 2813-008-039 & 040 | 4461-H1 |
| SCALE | DATE | I.M. | |
| NONE | 08-07-12 | 279-137 | |

PRIMROSE LANE
(FUTURE STREET)
S/O LENNY STREET

DRAWING NO.
M1188103